

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA)
v.) CASE NO. 1:11-cr-462
TERRENCE KERNEY,)
a/k/a "T,") Count 1 – 18 U.S.C. § 1951(a)
a/k/a "Tiny,") (Conspiracy to Commit Robbery)
a/k/a "Terrance Wallace,")
Defendant.) Count 2 – 21 U.S.C. § 846
) (Conspiracy to Possess with Intent to
) Distribute Five Kilograms or More of
) Cocaine)
) Count 3 – 18 U.S.C. §§ 924(c) and 2
) (Possession of a Firearm in Relation
) to a Crime of Violence)
) Count 4 – 18 U.S.C. §§ 922 (g)(1)
) and 924(e)(1)
) (Possession of a Firearm by a
) Prohibited Person)
)

INDICTMENT

SEPTEMBER, 2011 TERM – at Alexandria, Virginia

THE GRAND JURY CHARGES THAT:

Count 1
(Conspiracy to Commit Robbery)

From on or about June 30, 2011 through on or about July 21, 2011, in Fairfax County, Virginia, within the Eastern District of Virginia, and elsewhere, TERRENCE KERNEY, also known as "T," "Tiny," and "Terrance Wallace," the defendant, did knowingly combine, conspire, confederate, and agree with Steve Donovan Dixon to obstruct, delay and affect

commerce, and the movement of articles and commodities in commerce, by robbery, as that term is defined in Title 18, United States Code, Section 1951;

WAYS, MANNER, AND MEANS TO ACCOMPLISH THE CONSPIRACY

The primary purpose of the conspiracy was to obtain cocaine from individuals engaged in drug trafficking. The ways, manner and means by which this purpose was carried out included the following:

1. It was part of the conspiracy that the conspirators agreed to rob ten kilograms of cocaine from drug traffickers at a drug stash location in the Eastern District of Virginia.
2. It was further part of the conspiracy that conspirators agreed to disguise themselves as police officers, use a ram to gain entry into the “drug stash” location, and restrain their victims.
3. It was further part of the conspiracy that the conspirators agreed to use firearms to rob the drug traffickers.
4. It was further part of the conspiracy that the conspirators agreed to distribute the cocaine obtained from the robbery.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects thereof, the defendant and his conspirator, Steve Donovan Dixon, committed overt acts in the Eastern District of Virginia and elsewhere, including, but not limited to, the following:

5. On or about July 5, 2011, the defendant shipped a Smith and Wesson .45 caliber revolver and a HiPoint 9mm semi-automatic pistol from California to the Eastern District of Virginia for use in the planned robbery.

6. On or about July 16, 2011, the defendant shipped replica police uniforms and police equipment from California to the Eastern District of Virginia for use in the planned robbery.

7. On or about July 18 and 19, 2011, the defendant and Steve Donovan Dixon traveled from California to the Eastern District of Virginia, to commit the planned robbery.

8. On or about July 20, 2011, in the Eastern District of Virginia, the defendant and Steve Donovan Dixon obtained a bag of flex ties and obtained and constructed a ram for use in the planned robbery.

9. On or about July 20, 2011, in the Eastern District of Virginia, the defendant and Steve Donovan Dixon traveled to examine locations as part of their planning for the robbery.

(In violation of Title 18, United States Code, Section 1951(a).)

THE GRAND JURY FURTHER CHARGES THAT:

Count 2

(Conspiracy to Possess with Intent to Distribute Five Kilograms or More of Cocaine)

1. Paragraphs 1 through 9 of Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein.
2. From on or about June 30, 2011 through on or about July 21, 2011, in Fairfax County, Virginia, within the Eastern District of Virginia, and elsewhere, TERRENCE KERNEY, also known as "T," "Tiny," and "Terrance Wallace," the defendant, did knowingly combine, conspire, confederate, and agree with Steve Donovan Dixon to unlawfully, knowingly, and intentionally possess with intent to distribute five kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

(In violation of Title 21, United States Code, Section 846.)

THE GRAND JURY FURTHER CHARGES THAT:

Count 3
(Possession of a Firearm in Relation to a Crime of Violence)

On July 21, 2011, in Fairfax County, Virginia, within the Eastern District of Virginia, TERRENCE KERNEY, also known as "T," "Tiny," and "Terrance Wallace," the defendant, did unlawfully and knowingly possess firearms, namely a Smith and Wesson .45 caliber revolver and a HiPoint 9mm semi-automatic pistol, in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, namely the conspiracy to affect commerce by robbery, in violation of Title 18, United States Code, Section 1951(a), as set forth and charged in Count 1 of this Indictment.

(In violation of Title 18, United States Code, Sections 924(c) and 2.)

THE GRAND JURY FURTHER CHARGES THAT:

Count 4
(Possession of a Firearm by a Prohibited Person)

On or about July 21, 2011, in Fairfax County, Virginia, in the Eastern District of Virginia, TERRENCE KERNEY, also known as "T," "Tiny," and "Terrance Wallace," the defendant, after having been convicted of a crime punishable by imprisonment for a term exceeding one year, namely Attempted Robbery, in the Superior Court of California, County of Los Angeles, on or about May 31, 1996, did knowingly and unlawfully possess in and affecting interstate commerce, firearms, namely a Smith and Wesson .45 caliber revolver and a HiPoint 9mm semi-automatic pistol.

(In violation of Title 18, United States Code, Section 922(g)(1) and 924(e)(1).

A TRUE BILL

Foreperson

*Pursuant to the F-Government Act
Original of this page has been filed
Under seal for the Clerk's Office*

NEIL H. MCBRIDE
United States Attorney

By: 
Marc J. Birnbaum
Special Assistant U.S. Attorney